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Attorneys for Defendant/Counterplaintiff
D-LINK SYSTEMS INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

3COM CORPORATION,

Plaintiff/Counterdefendant,

v.

D-LINK SYSTEMS INC.,

Defendant/Counterplaintiff.

Case No. C 05-00098 VRW

**JOINT STIPULATION AND [PROPOSED]
ORDER EXTENDING DATE OF SERVICE
OF FINAL INVALIDITY CONTENTIONS
WITH RESPECT TO U.S. PATENT NO.
6,327,625**

Judge: Vaughn R. Walker

1 WHEREAS, on December 18, 2006, the Court granted summary judgment in favor of
2 Defendant/Counterplaintiff D-Link Systems Inc. (“D-Link”) with respect to U.S. Patent No.
3 6,327,625 (“the ‘625 patent”);

4 WHEREAS, on March 2, 2007, Plaintiff/Counterdefendant 3Com Corporation (“3Com”)
5 moved the Court to reconsider its summary judgment order;

6 WHEREAS, this motion is scheduled to be heard on April 5, 2007;

7 WHEREAS, on March 27, 2007, pursuant to the Case Management Order entered on March
8 5, 2007 (“Case Management Order”), 3Com served its Final Infringement Contentions pursuant to
9 Patent L.R. 3-6, including claims with respect to the ‘625 patent;

10 WHEREAS, pursuant to the Case Management Order, D-Link’s Final Invalidity
11 Contentions pursuant to Patent L.R. 3-6 are scheduled to be served on April 16, 2007; and

12 WHEREAS, the parties agree that if the Court does not grant 3Com’s motion for
13 reconsideration and reverse its summary judgment order of December 18, 2006, it will be
14 unnecessary for D-Link to prepare Final Invalidity Contentions with respect to the ‘625 patent;

15 NOW, THEREFORE, it is hereby STIPULATED AND AGREED by and between the
16 undersigned counsel as follows:

17 1. D-Link will not be required to file Final Invalidity Contentions on April 16, 2007,
18 with respect to the ‘625 patent, but will still be required to submit Final Invalidity Contentions with
19 respect to U.S. Patent No. 6,570,884.

20 2. If the Court grants 3Com’s motion for reconsideration and reverses its summary
21 judgment order, D-Link will file Final Invalidity Contentions with respect to the ‘625 patent twenty
22 days after such ruling.

1 Dated: April 5, 2007

FISH & RICHARDSON P.C.

2
3 By: \s\ David M. Barkan
David M. Barkan

4 Attorneys for Defendant/Counterplaintiff
5 D-LINK SYSTEMS INC.

6 Dated: April 5, 2007

SIMPSON THACHER & BARTLETT LLP

8 By: \s\ Kerry L. Konrad
9 Kerry L. Konrad (*pro hac vice*)

10 Attorneys for Plaintiff/Counterdefendant
11 3COM CORPORATION

12
13 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty
14 of perjury that concurrence in the filing of this document has been obtained from Kerry L. Konrad.

15
16 Dated: April 5, 2007

FISH & RICHARDSON P.C.

17 By: \s\ David M. Barkan
18 David M. Barkan

19 Attorneys for Defendant/Counterplaintiff
20 D-LINK SYSTEMS INC.

ORDER

IT IS SO ORDERED.

Dated: April 13, 2007

